

REMARKS

The claim amendments and the following remarks are intended to fully respond to the office action mailed January 11, 2010. In that office action, claims 1, 14, 19, 22, 29-31, 36, 37, and 39-44 were examined. Claims 1, 14, 17, 19, 22, 29, 30, and 41-44 were allowed. Claims 31, 36-37, and 39-40 were rejected under 35 U.S.C. § 101 as allegedly not falling within one of the four statutory categories of invention. Reconsideration and further examination of the claims is respectfully requested in light of the claim amendments above and the remarks below.

Claim Rejections – 35 U.S.C. 101

Claims 31, 36-37, and 39-40 were rejected under 35 U.S.C. § 101 as allegedly not directed at statutory subject matter. Although applicants do not necessarily agree with the rejections, claims 31, 36-37, and 39-40 have been amended to indicate that the steps within the claimed method are being performed by “one or more processors.”

New Claim 45

In the previously pending claims, there was a mistake with claim numbering. Two claims were mistakenly numbered “43.” As a result, one of the claims previously numbered “43” is being canceled and added as new claim “45” herein.

Conclusion

This Amendment fully responds to the Office Action mailed on January 11, 2010. Still, that Office Action may contain arguments and rejections that are not directly addressed by this Amendment because they are rendered moot in light of the preceding arguments in favor of patentability. Hence, failure of this Amendment to directly address an argument raised in the Office Action should not be taken as an indication that the Applicant believes the argument has merit. Furthermore, the claims of the present application may include other elements, not discussed in this Amendment, which are not shown, taught, or otherwise suggested by the references of record. Accordingly, the preceding arguments in favor of patentability are advanced without prejudice to other bases of patentability, which may be argued at a later time.

The Commissioner is hereby authorized to charge any deficiencies or credit any overpayment with respect to this patent application to deposit account number 13-2725.

In light of the above remarks and amendments, it is believed that the application is now in condition for allowance and such action is respectfully requested. Should any additional issues need to be resolved, the Examiner is requested to telephone the undersigned to attempt to resolve those issues.

Respectfully submitted,

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/René A. Pereyra/
René A. Pereyra, Reg. No. 45,800
Merchant & Gould P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903
(303)357.1637